CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
DECEMBER 15, 2014

SPECIAL MEETING
ACTION MINUTES

TIME & PLACE: The Mayor and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met in Special Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, Monday, December 15, 2014 at 10:00 A.M.

PRESIDING OFFICER: The meeting was called to order by Mayor Pro-temp Sandra Whitehead who presided and Judy Harris, City Clerk acted as Secretary of the meeting.

ATTENDANCE: Upon calling the roll the following Commissioners were reported present:

   Hon. Sandra Whitehead, Mayor
   Hon. Steve Green, Mayor Pro-Tem
   Hon. Jeff Richter, Commissioner
   Hon. Ruben Olivas, Commissioner
   Hon. Kathy Clark, Commissioner

   Also present:
   Juan Fuentes, City Manager
   Jay Rubin, City Attorney
   Judy M. Harris, City Clerk
   Ed Williams, Electric Department
   Kevin Bassalleck, Affordable Solar, Inc.

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

CEREMONY: Mayor Sandra Whitehead called for fifteen second of Silent Meditation.

Mayor Sandra Whitehead called for the Pledge of Allegiance.

APPROVAL OF AGENDA: Mayor Sandra Whitehead called for approval of the Agenda.

   “Mayor Pro-Tem Steve Green made a moved to approve the Agenda as Presented.

   Seconded by Commissioner Ruben Olivas.

   Motion Carried Unanimously.
OLD BUSINESS: Discussion/Action: Approval and Consent of Assignment of Power Purchase Agreement (PPA) and related Documents to SSA Solar of New Mexcio4, LLC.

Commissioner Kathy Clark noted that she had asked this item to be returned to the Commission, as she had needed more time on the item, noting she had several questions and comments.

Commissioner Kathy Clark noted she understood the item was to be the approval of the assignment of the Agreement and not the related documents.

City Manager Juan Fuentes explained that the previous item was the same as this item and did state “related documents”.

Commissioner Kathy Clark stated that the documents were not complete.

Kevin Bassalleck explained he would be happy to address the exhibits, he noted the final legal description was one item needed; the serial numbers for the units. Bank work concerning Kenyon was to be “Key Bank”.

Juan Fuentes, City Manager, explained that City Attorney Jay Rubin would take a look at the documents, and that the survey was to be completed.

Jay Rubin, City Attorney, stated that paragraph 17 explained the current PPA.

Commissioner Kathy Clark asked how the final value was determined.

Kevin Bassalleck noted he thought 7%, and explained terminations.

Commissioner Kathy Clark noted it looked like a good return of money, she stated that Kenyon was not a member of the Chamber of Commerce of Florida. Noting if we were comfortable we were protected for 5 years; stating that at the end of the day the costs to us was zero money.

Mayor Pro-Tem Steve Green noted he had called Silver City, Deming and Alamogordo; to inquire if they were happy with the service provided, all reports returned the same, there were no problems and flawless.

Commissioner Kathy Clark asked for the rundown with the build out.

Kevin Bassalleck explained yes, the period of the time with Kenyon was a 90 day
period.

Commissioner Kathy Clark asked when the service would come on line.

Kevin Bassalleck stated the end of the year.

With no further questions or comments, Mayor Sandra Whitehead called for a motion.

"Mayor Pro-Tem Steve Green moved for approval and consent of Assignment of Power Purchase Agreement (PPA) and related Documents to SSA Solar of New Mexico.4, LLC."

Seconded by Commissioner Rubin Olivas.

Motion Carried with a 4 to 1 vote, with Commissioner Richter voting Nay.

**ADJOURNMENT:** With no further business to come before the Commission, Mayor Sandra Whitehead called for a motion to adjourn.

"Commissioner Jeff Richter moved to adjourn."

Seconded by Mayor Pro-Tem Steve Green.

Motion Carried Unanimously.

**CERTIFICATION:** Passed and approved this _____ day of __________, 2014, on a motion made by Commissioner ______________, and seconded by Commissioner ______________, and carried.

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Sandra Whitehead, Mayor

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Judy M. Harris, City Clerk